



FAIR POLITICAL PRACTICES COMMISSION

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December 14, 2009

Jean Wolf

Jean Wolf, Treasurer

✓ o/b/o Keep Oakhurst Rural Coalition

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Warning Letter Re: FPPC No. 08/041, Keep Oakhurst Rural Coalition – No on Measure C; Jean Wolf

Dear Ms. Wolf and Keep Oakhurst Rural Coalition – No on Measure C:

The Fair Political Practices Commission (the “FPPC”) enforces the provisions of the Political Reform Act (the “Act”),¹ found in Government Code Section 81000, et seq. This letter is in response to a complaint filed against you that alleged that the Keep Oakhurst Rural Coalition – No on Measure C (KORC) did not file a statement of organization, in violation of Section 84101, subdivision (a), distributed campaign material without the required disclosures, in violation of Section 84305, and failed to file a required pre-election statement by January 24, 2008, covering the period of January 1 through January 19, 2008, in violation of Section 84200.8.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that KORC filed a Form 410, Statement of Organization, on January 18, 2008, with the Office of the Secretary of State. However, KORC failed to file a pre-election campaign statement covering the period of January 1 through January 19, 2008, and a semi-annual campaign statement for the period of January 20 through June 30, 2008. The investigation did not find sufficient evidence to show that KORC failed to identify itself on any mass mailing or sign produced in quantities of 200 or more.

The Act requires committees to file semi-annual campaign statements as specified in Section 84200. Additionally, the Act requires committees to file pre-election

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

campaign statements as specified in Sections 84200.5 through 84200.8. For elections held on a date other than in June or November of an even-numbered year, Section 84200.8 requires that the first pre-election statement for the reporting period ending 45 days before the election be filed no later than 40 days before the election, and that the second pre-election statement for the reporting period ending 17 days before the election be filed no later than 12 days before the election. In this matter, the operative election was held on February 5, 2008.

Your actions violated the Act because you failed to file a pre-election campaign statement covering the period of January 1 through January 19, 2008, by the January 24, 2008 due date, in violation of Section 84200.8, and failed to file a semi-annual campaign statement for the period of January 20 through June 30, 2008, by the July 31, 2008 due date, in violation of Section 84200. However, on November 20, 2009, you filed the required pre-election campaign statement, semi-annual campaign statement and a terminating statement shortly after contact and in cooperation with FPPC staff. Additionally, you have no prior history of enforcement action by the FPPC.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

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Angela J. Brereton
Senior Commission Counsel
Enforcement Division